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PART—I

Notifications, Orders and Declarations by Haryana Government

भारत निर्वाचन आयोग

निर्वाचन सदन, अशोक रोड, नई दिल्ली-110 001

7 जून, 2007

तारीख : _____

17 ज्येष्ठ, 1929 (शक)

आदेश

सं० 76/हरियाणा-वि० सं०/2005(11).—जबकि निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा

विनिर्दिष्ट फरवरी, 2005 में हरियाणा विधान सभा के साधारण निर्वाचन के लिए जो स्तम्भ (3) में तदनुरूपी विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है, के स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्दीन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (5) में यथा दर्शित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है;

और जबकि उक्त अभ्यर्थियों ने सम्यक् सूचना दिए जाने पर भी उक्त असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है तथा निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायौचित्य नहीं है;

अतः 3 ब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य/संघ राज्य क्षेत्र की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए एतद्वारा निरहित घोषित करता है;

सारणी

क्र० सं०	निर्वाचन का विवरण	निर्वाचन-क्षेत्र की क्र० सं० और नाम	निर्वाचन लड़ने वाला अभ्यर्थी का नाम और पता	निरहता कारण
1	2	3	4	5
1.	हरियाणा विधान सभा 2005 के लिए साधारण निर्वाचन	36-बादली विधान सभा निर्वाचन क्षेत्र	श्री कलीराम, म० नं० 102, गांव दरियापुर, डा०-बादली, तहसील-बहादुरगढ़, जिला झज्जर, हरियाणा।	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
2.	यथा	यथा	श्री संतराम, गांव खरमाण, तहसील-बहादुरगढ़, जिला झज्जर, हरियाणा।	यथा
3.	यथा	यथा	श्री बिजेन्द्र, गांव व डा० खरहर, तहसील-बहादुरगढ़, जिला झज्जर, हरियाणा।	यथा

आदेश से,

के० अजय कुमार

सचिव

भारत निर्वाचन आयोग।

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

Dated : 7th June, 2007

17 Jyaistha, 1929 (Saka)

Order

No 76/HN-LA/2005(11) — Whereas, the Election Commission of India is satisfied that the contesting candidates specified in column (4) of the table below at the General Election to the Legislative Assembly held from Haryana in February, 2005 as specified in column (2) and held from constituencies correspondingly specified in column (3) against their names have failed to lodge account of their election expenses, as shown in column (5) of the table, as required by the Representation of the People Act, 1951, and to Rules made thereunder.

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice of the Election Commission, after considering the representation made by them, if any, the Election Commission is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of Section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the table below to be disqualified for being chosen as, and for being, a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State/ Union Territory for a period of three years from the date of this order.

Table

Sl. No.	Particulars of Election	No. and Name of Assembly Constituency	Name and Address of Contesting candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to the Legislative Assembly of Haryana-2005	36-Badli	Kali Ram, H. No. 102, Village Dariyapur, P. O. Badli, Tehsil Bahadurgarh, District Jhajjar, Haryana	Failure to lodge account of election expenses
2.	General Election to the Legislative Assembly of Haryana-2005	-do-	Sant Ram, V. P. O. Kharman, Tehsil Bahadurgarh, District Jhajjar, Haryana	-do-
1.	General Election to the Legislative Assembly of Haryana-2005	-do-	Bijender, Village Kharhar, Tehsil Bahadurgarh, District Jhajjar, Haryana	-do-

By Order,

K. AJAYA KUMAR,
SECRETARY

ELECTION COMMISSION OF INDIA

STATE ELECTION COMMISSION, HARYANA

S.C.O. No. 16-17, SECTOR 20-D, CHANDIGARH

The 13th June, 2007

No. SEC/4E-III/2007/8428.—Whereas, the name of Shri Sonu/Sombir son of Shri Gordhan was notified as Sarpanch of Gram Panchayat Murthal, Block and District Sonipat by the State Election Commission, Haryana vide its Notification No. SEC/E-III/2005/2737, dated 22nd April, 2005.

And, whereas, Shri Dharampal son of Shri Kundan Lal, resident of Murthal, Tehsil and District Sonipat filed an election petition in the Court of Civil Judge (Senior Division), Sonipat challenging the election of Sarpanch, Gram Panchayat Murthal on the ground that the post of Sarpanch is reserved for Scheduled Castes, whereas Shri Sonu/Sombir elected Sarpanch does not belong to Scheduled Castes category. The prayer was, thus, made to set aside the election of Sarpanch, Gram Panchayat, Murthal and the petitioner be declared as elected Sarpanch, being a candidate of Scheduled Castes and has obtained highest number of valid votes after Shri Sonu/Sombir (respondent No. 4). The Civil Judge (Senior Division), Sonipat finally decided the petition

on 8th June, 2006, the operative and relevant part of which is reproduced below:—

As a sequel of my aforesaid discussion and findings, the petition is hereby allowed and the election of respondent No. 4 as Sarpanch is set aside and the petitioner is declared as Sarpanch of Village Murthal, Tehsil and District Sonapat, being a candidate of schedule caste, as the post of Sarpanch of Village Murthal was reserved for schedule caste candidate. There shall, however, be no order as to costs. Memo of costs be prepared accordingly and file complete in all respect be consigned to the record room.

(Sd.)...

Civil Judge (Sr. Division),

Sonapat.

Announced on 08-06-2006

And, whereas, Shri Sonu/Sombir filed CWP No. 9457 and 9453 of 2006 in the Hon'ble Punjab and Haryana High Court against the orders of Civil Court, Sonapat and the Hon'ble Court passed the following orders on 14th July, 2006 :—

“Notice of Motion for July 17, 2006.

In the meanwhile, operation of the judgement of learned Tribunal shall remain stayed.

(Sd.)...

K. S. Garewal, Judge

(Sd.)...

Rajesh Bindal, Judge

Date : June 14, 2006

These writ petitions have finally been disposed off by the Hon'ble High Court on 23rd May, 2007 and has passed the following orders :—

“It is concluded that the petitioner was not a Sirkiband but was a Banjara and was not a scheduled caste but a person belonging to backward class.

Resultantly, there is no merit in these petitions. Both are hereby dismissed.

(Sd.)...

K. S. Garewal, Judge

Date : May 23, 2007

Now in view of the above orders dated 23rd May, 2007 of the Hon'ble Punjab and Haryana High Court passed in the CWPs No. 9457/2006 and 9453/2006 and the recommendation of the Deputy Commissioner-cum-District Election Officer, Sonapat, conveyed vide their letter No. 3809/Panchayat, dated 28th May, 2007, the State Election Commission, Haryana hereby denotifies the name of Shri Sonu/Sombir son of Gordhan as Sarpanch of Gram Panchayat Murthal, Block and District Sonapat and further notifies the name of Shri Dharampal son of Shri Kundan Lal as elected Sarpanch of Gram Panchayat Murthal, Block and District Sonapat.

Chandigarh :

CHANDER SINGH,

The 12th June, 2007

State Election Commissioner, Haryana.